



COMMONWEALTH OF VIRGINIA
HOUSE OF DELEGATES
RICHMOND

DAVID B. ALBO
6367 ROLLING MILL PLACE, SUITE 102
SPRINGFIELD, VIRGINIA 22152

COMMITTEE ASSIGNMENTS:
COURTS OF JUSTICE (CHAIRMAN)
PRIVILEGES AND ELECTIONS
GENERAL LAWS

FORTY-SECOND DISTRICT

February 23, 2017

Ms. Michele L. Chesser, Executive Director
Joint Commission on Health Care
Main Street Centre
600 East Main Street, Ste. 301
Richmond, VA 23218

Dear Joint Commission Members,

Two years ago, the General Assembly passed a law that gave people who have intractable epilepsy and who possess a certain derivative of Marijuana (Cannabidiol Oil aka "CBD Oil" and THC-A oil) the ability to present an affirmative defense to a charge of Possession of Marijuana (See VA Code section 54.1-3408.3 and 18.2-250.1(C)). Essentially, this means that if a person is caught with CBD or THC-A oil, and is charged with Possession of Marijuana, they can present a written certification from a doctor saying that either they or their child have intractable epilepsy. If they can do so, and if the Prosecutor cannot show that the person is lying, the case will be dismissed.

This year we were presented with numerous bills seeking to expand the types of illnesses from intractable epilepsy to Crohn's Disease, cancer, and numerous other illnesses (see HB 1637 and SB 1298).

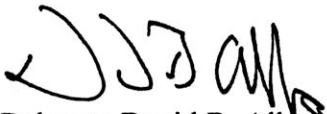
The problem our House Courts of Justice Committee had was that we are not doctors and have no means of determining if the science justifies the use of CBD or THC-A Oil as a treatment for these diseases. The advocates do not have the money to fly in medical experts to testify. We were presented with studies by one side saying these oils do work and with studies by the other side saying they do not. Again, we are not doctors, so we really could not fully understand the studies. Moreover, we could not get an undisputed determination as to whether the CBD or THC-A oils have any psychoactive effect. Senator Dunnavant, who is a medical doctor, testified that they do not have psychoactive effects (although she is not a medical doctor in this field) and then a witness would testify with some document from somewhere stating that they do have psychoactive effects. Many of the committee members stated that they would consider these oils for treatment of all illnesses if they have no detrimental side effects. To add to our confusion, the Federal Government still schedules marijuana as a Schedule 1 Narcotic, meaning that it supposedly has no medical value and therefore cannot be legally studied in the US.

We request that your committee review this issue in preparation for next session. If possible, we would like to know the following, specifically:

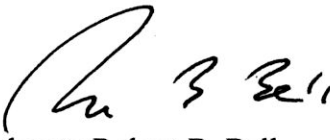
1. Can CBD and THC-A Oil have psychoactive effects or detrimental side effects?
2. Can anyone tell us whether CBD Oil is beneficial in the treatment of the illnesses listed in HB 1637 and SB 1298?

Thank you for your consideration. Should you need any other information, please do not hesitate to contact me.

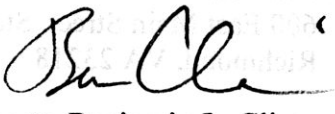
Best Regards,



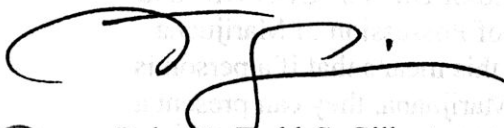
Delegate David B. Albo



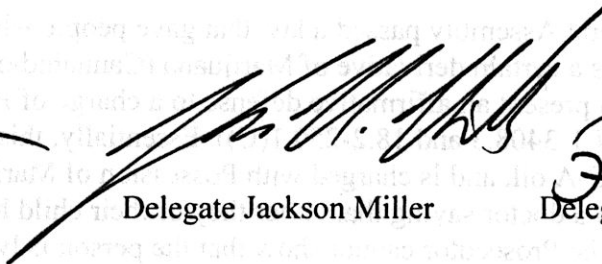
Delegate Robert B. Bell




Delegate Benjamin L. Cline




Delegate Todd C. Gilbert




Delegate Jackson Miller



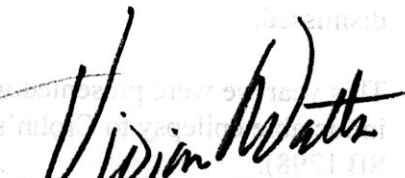
Delegate Richard L. Morris



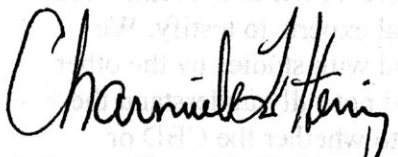
Delegate Leslie R. Adams



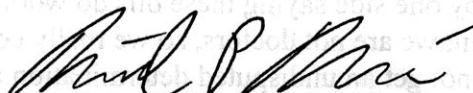
Delegate Christopher E. Collins



Delegate Vivian E. Watts



Delegate Charniele L. Herring



Delegate Michael P. Mullin

CC'ed: The Honorable Delegate Glen Davis
The Honorable Senator Jill Vogel